

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY W. LONG,

Plaintiff,

No. CIV S-04-2188 GGH

vs.

JO ANNE B. BARNHART,
Commissioner of Social
Security,

Defendants.

ORDER TO SHOW CAUSE

Plaintiff filed his complaint on October 15, 2004; service was executed upon defendant. On August 2, 2005, defendant filed with this court, and served upon plaintiff by mail, her answer and the administrative transcript.

Pursuant to this court's Scheduling Order (and allowing three days for service by mail, Fed. R. Civ. P. 6(e)), plaintiff was required to file a motion for summary judgment and/or remand by September 19, 2005 (45 days after service of the answer and administrative transcript). Plaintiff has done neither, and has not communicated with this court since the filing of his complaint.

ACCORDINGLY, plaintiff is ordered to show cause in writing within twenty days of the filed date of this order why this case should not be dismissed for lack of prosecution.

1 Failure to timely file the required writing will result in a recommendation that the case be
2 dismissed.

3 DATED: 1/10/06

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5 /s/ Gregory G. Hollows

6 UNITED STATES MAGISTRATE JUDGE

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